

**COMMON INTEREST COMMUNITY BOARD
CONDOMINIUM REGULATORY REVIEW COMMITTEE MEETING**

MINUTES OF MEETING

The Condominium Regulatory Review Committee of the Common Interest Community Board met on Tuesday, October 4, 2011, at the Department of Professional and Occupational Regulation (DPOR), 9960 Mayland Drive, 2nd Floor, Board Room 4, Richmond, Virginia 23233.

The following members were present:

Christiaan Melson, Chair
Kimberly Kacani
Thomas Colucci
Robert Diamond
Michael Inman
Mark Kinser
David Mercer
Miyun Sung
Lucia Anna Trigiani (Ex-Officio)

Committee member Michelle Thompson was not in attendance.

DPOR staff present for all or part of the meeting included:

Mark N. Courtney, Deputy Director of LRD
Trisha L. Henshaw, Executive Director
Heather Gillespie, Ombudsman
Thomas K. Perry, Property Registration Administrator
Betty C. Jones, Administrative Assistant
Jesstina Adelman, Program Analyst

Steven Jack from the Office of the Attorney General was present.

Mr. Melson, Chair, called the meeting to order at 9:49 a.m.

Call to Order

Mr. Colucci moved to approve the agenda. Mr. Inman seconded the motion which was unanimously approved by: Colucci, Diamond, Inman, Kacani, Kinser, Melson, Mercer, and Sung.

Approval of Agenda

Mr. Melson opened the floor for public comment. No members of the public present requested to speak.

**Public Comment
Period**

Ms. Henshaw provided a time-line for developing the draft Condominium Regulations. However, the time-line will be changing

**Review of Timeline
for Regulations/**

before its next meeting. At the September 22nd Board meeting, Ms. Trigiani expressed concern that the current time-line for review and presentation of a recommendation to the Board would not allow adequate time for the Committee to fully review the draft. In addition, due to the volume of material to consider, one meeting would not provide enough time for the Board to fully review all of the Committee's proposals. Therefore, the Board opted to have staff withdraw the current Notice of Intended Regulatory Action (NOIRA), and refile a new NOIRA to allow additional time for the Committee to develop the regulations. The Committee's goal will now be to have a recommendation for consideration by the Board at its March 22, 2012, meeting.

**Update on
Regulatory Review
Process**

Ms. Henshaw provided the Committee with a draft of the Condominium Regulations that incorporates the suggested changes from the last Committee meeting pertaining to the public offering statement requirements. The Committee reviewed section-by-section changes to the draft text from the previous meetings. The Committee discussed the suggested revisions and made additional changes to the draft text.

**Review Draft CIC
Condominium
Regulations**

The Committee requested Mr. Diamond and Mr. Colucci redraft the section on budgets to develop guidelines for providing a multi-year budget.

The Committee recessed for a break at 10:54 a.m. and reconvened at 11:07 a.m.

Break

The Committee continued its review of the draft Condominium Regulations. The Committee discussed proposed definitions of "material change" provided by Mr. Diamond, Mr. Colucci, and Ms. Trigiani.

**Review Draft CIC
Condominium
Regulations**

The Committee discussed provisions relating to material and non-material changes to the public offering statement.

The Committee recessed for lunch from 12:08 p.m. to 12:51 p.m.

Lunch

Mr. Inman departed at 12:15 p.m.

**Departure of
Committee Member**

The Committee continued its review of the draft Condominium Regulations. The Committee discussed provisions regarding filing an amended public offering statement. The Committee requested Ms. Trigiani provide alternative language for filing an amended public

**Review Draft CIC
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Regulations**

offering statement for the Committee to consider at its next meeting.

During the discussion of the Condominium Regulations, Mr. Inman returned to the meeting at 1:39 p.m.

**Return of
Committee Member**

The Committee continued its review of the draft Condominium Regulations.

**Review Draft CIC
Condominium
Regulations**

The Committee recessed at 2:33 p.m. and reconvened at 2:54 p.m.

Break

Mr. Inman departed at 2:35 p.m.

**Departure of
Committee Member**

The Committee continued its review of the draft Condominium Regulations.

**Review Draft CIC
Condominium
Regulations**

The Committee discussed its plan for the next Committee meeting. The Committee continued its discussion of topics that need to be addressed in the Common Interest Community Board Condominium Regulations. At the next Committee meeting, the Committee will review the revisions to the regulations regarding public offering statement requirements; re-review of encumbrances and budget in public offering statement provisions; material change; filing of amended public offering statement, and what constitutes a current public offering statement; general provisions; application provisions; time-share condominiums; conversion condominiums; Horizontal Property Act; and other provisions that may be necessary. Staff will prepare a revised draft of Condominium Regulations in accordance with the Committee's comments for the next Committee meeting.

**Discuss Topics for
November 3rd
Committee Meeting**

The Board members serving on the Committee were reminded to complete their conflict of interest forms and travel vouchers.

**Conflict of Interest
and Travel Voucher
Forms**

There being no further business, the meeting was adjourned at 3:49 p.m.

Adjourn

Gordon Dixon, Secretary

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